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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,129	01/28/2004	Brian Fowler	04079-1-0030	2109
26135 7590 09/02/2009 LOTT & FRIEDLAND, P.A. P.O. BOX 141098 CORAL GABLES, FL 33114-1098				
EXAMINER				
ADDY, THUAN KNOWLIN				
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2614				
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09/02/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/766,129

Applicant(s)

FOWLER ET AL.

Examiner

THJUAN K. ADDY

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2007 and 07 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Paper No(s)/Mail Date _____
- 6) ☐ Other: _____

DETAILED ACTION

1. In view of the Appeal Brief filed on 04/07/2009, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

2. To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

3. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 10-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 10 recites the limitation "said computer system" in line 2. There is insufficient antecedent basis for this limitation in the claim.
6. Claim 10 recites the limitation "the web browser" in line 2. There is insufficient antecedent basis for this limitation in the claim.
7. Claim 11 recites the limitation "the web browser" in line 1-2. There is insufficient antecedent basis for this limitation in the claim.
8. Claim 12 recites the limitation "said web browser" in line 1-2. There is insufficient antecedent basis for this limitation in the claim.
9. Claim 13 recites the limitation "said web browser" in line 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-3, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al (US 7,177,415), in view of Strathmeyer et al. (US 6,876,633).
11. In regards to claim 1, Kim discloses a method for identifying a telephone number to a computer system for processing a telephone call over the Internet (See Fig. 2 and Internet 250) to a user assigned to said telephone number (See col. 1-2 lines 61-2), comprising: receiving data (for example, the data is the name, address, or e-mail address of a person or company) entered into said computer system by a caller through a web browser (See Fig. 2 and web browser 200); searching said data for said telephone number or a proxy representing said telephone number; processing said telephone call through a packet switched data network (See Fig. 2 and Internet 250) to said telephone number if said telephone number is found in said data (See col. 3 lines 9-24, col. 3 lines 35-53, and col. 4 lines 1-20). Kim, however, does not specifically disclose accessing a name server to translate said proxy into said telephone number for return to said computer system for processing said telephone call if said telephone number is not found in said data. Strathmeyer, however, does disclose accessing a name server (See Fig. 5A and Fig. 7, proxy server 503) to translate said proxy into said telephone number for return to said computer system (See Fig. 7 and Application

Computer 701) for processing said telephone call if said telephone number is not found in said data (See col. 4 lines 19-36 and col. 6 lines 35-50). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate this limitation within the system, as a way of allowing advanced data networking functions to be utilized for telephone calls routed over the Internet, and also allowing telephony functions to be implemented in conjunction with remote applications computers over a data network utilizing a variety of packet telephony protocols.

12. In regards to claim 2, Kim discloses the method, wherein the web browser translates the proxy in accordance with an establish protocol (e.g., dialto) (See col. 3 lines 9-24 and col. 4 lines 6-20).

13. In regards to claim 3, Kim discloses the method, wherein the protocol is the dialto protocol (See col. 3 lines 9-24 and col. 4 lines 6-20).

14. In regards to claim 6, Kim discloses all of claim 6 limitations, except the method, wherein said name server can store a proxy for a telephone number. Strathmeyer, however, does disclose wherein said name server can store a proxy for a telephone number (See col. 7 lines 1-28).

15. In regards to claim 8, Kim discloses all of claim 8 limitations, except the method, wherein the proxy consists of a name, letter, numbers, or symbols. Strathmeyer, however, does disclose wherein the proxy consists of a name, letter, numbers, or symbols (See col. 7 lines 15-28).

16. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al (US 7,177,415), in view of Strathmeyer et al. (US 6,876,633), and further in view of Kincaid et al. (US Patent Application, Pub. No.: US 2002/0169764 A1).

17. In regards to claim 4, Kim and Strathmeyer disclose all of claim 4 limitations, except the method, wherein the web browser creates search hook objects from said data entered into the computer system to translate said data when the web browser is unable to identify the established protocol. Kincaid, however, does disclose wherein the web browser creates search hook objects from said data entered into the computer system to translate said data when the web browser is unable to identify the established protocol (See pg. 8, paragraph [0089]). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate this limitation within the system, as a way of monitoring/tracking the amount of time or how long a page is being displayed, as well as how much the user interacts with it.

18. In regards to claim 5, Kim and Strathmeyer disclose all of claim 5 limitations, except the method, wherein data that cannot be translated using search hook objects is transferred back to the web browser. Kincaid, however, does disclose wherein data that cannot be translated using search hook objects is transferred back to the web browser (See pg. 8, paragraph [0089]).

19. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al (US 7,177,415), in view of Strathmeyer et al. (US 6,876,633), and further in view of Lin-Hendel (US Patent Application, Pub. No.: US 2002/0126155 A1).

20. In regards to claim 7, Kim and Strathmeyer disclose all of claim 7 limitations, except the method, wherein the web browser provides a sub-window within the main web browser window on the computer system wherein a proxy for a telephone number can be created and stored for later access. Lin-Hendel, however, does disclose wherein the web browser provides a sub-window within the main web browser window on the computer system wherein a proxy for a telephone number can be created and stored for later access (See pg. 1, paragraph [0010]). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate this limitation within the system, as a way of partitioning display windows within browsers, and more particularly to display windows that include a plurality of structures that can effectuate scrolling through the content or pages of a browser wherein such content or pages extend beyond the limits of a display window.

21. Claims 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al (US 7,177,415), in view of Stanford (US Patent Application, Pub. No.: US 2007/0189500 A1).

22. In regards to claim 9, Kim discloses a method of parsing through web pages to identify a telephone number or a proxy (See col. 1-2 lines 61-2) comprising the steps of: using a specified predictive or adaptive algorithm to detect telephone number data (See col. 3 lines 9-24, col. 3 lines 35-53, and col. 4 lines 1-20). Kim, however, does not specifically disclose transforming each identified telephone number that is detected into a URI; providing a user with the transformed telephone number as a URI. Stanford,

however, does disclose transforming each identified telephone number that is detected into a URI; providing a user with the transformed telephone number as a URI (See Abstract and pg. 2, paragraph [0014]). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate this limitation within the system, as a way of setting up a call connection over a packet network, while decreasing call connection set up time for packet networks, such as VOP networks.

23. In regards to claim 10, Kim discloses all of claim 10 limitations, except the method, wherein the URI is provided to said computer system as a hyperlink on the web browser. Stanford, however, does disclose wherein the URI is provided to said computer system as a hyperlink on the web browser (See Abstract and pg. 2, paragraph [0014]).

24. In regards to claim 11, Kim discloses all of claim 11 limitations, except the method, wherein the web browser dials the telephone number associated with said URI. Stanford, however, does disclose wherein the web browser dials the telephone number associated with said URI (See Abstract and pg. 2, paragraph [0014]).

25. In regards to claim 12, Kim discloses all of claim 12 limitations, except the method, wherein the web browser dials the telephone number through a distributed proxy server. Stanford, however, does disclose wherein the web browser dials the telephone number through a distributed proxy server (e.g., Call Management Module {CMM}) (See pg. 3, paragraph [0028]).

26. In regards to claim 13, Kim discloses all of claim 13 limitations, except the method, wherein said web browser dials the telephone number through an IP gateway.

Stanford, however, does disclose wherein said web browser dials the telephone number through an IP gateway (See pg. 4, paragraph [0039]).

27. In regards to claim 14, Kim disclose a system that allows users to place and receive calls (See col. 1-2 lines 61-2) using a web browser (See Fig. 2 and web browser 200), said system comprising: a computer (e.g., user information terminal, See Fig. 2) connected to a computer network (See Fig. 2 and Internet 250); said computer equipped with a web browser (See Fig. 2 and web browser 200); and said web browser with the ability to parse web pages and identify a telephone number (See col. 3 lines 9-24, col. 3 lines 35-53, and col. 4 lines 1-20). Kim, however, does not specifically disclose said web browser enabled to convert a detected telephone number into a URI and provide the URI as a hyperlink; said computer enabled to obtain and display the URI provided by the web browser; and said web browser enabled to connect a user of the system with the telephone number associated with the URI by dialing the telephone number associated with the URI. Stanford, however, does disclose said web browser enabled to convert a detected telephone number into a URI and provide the URI as a hyperlink; said computer enabled to obtain and display the URI provided by the web browser; and said web browser enabled to connect a user of the system with the telephone number associated with the URI by dialing the telephone number associated with the URI (See Abstract and pg. 2, paragraph [0014]).

28. In regards to claim 15, Kim discloses the system, wherein telephone numbers can be dialed using the computer network (See col. 1-2 lines 61-2) or a circuit-switched telecommunication network (See col. 4 lines 53-58).

Response to Arguments

29. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THJUAN K. ADDY whose telephone number is (571)272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

31. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

32. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thjuan K. Addy/
Primary Examiner, Art Unit 2614

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Ahmad F Matar/

Supervisory Patent Examiner, Art Unit 2614.